

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1014 of 2019

Vijay Sah, son of Sri Rupan Sah, aged 46 years, male, Resident of Mohalla Aliganj Maheshpur, P.S. Babarganj, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Panta.
3. The Commissioner, Bhagalpur Division, Bhagalpur.
4. The District Magistrate, Bhagalpur.
5. The Deputy Collector, Land Reforms, Bhagalpur Sadar, Bhagalpur.
6. Anchal Adhikari, Jagdishpur Anchal, P.O. and P.S. Jagdishpur, District-Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Dr. Manoj Kumar Ms. Swaty Sinha
For the Respondent/s	:	Mr. Rakesh Kumar Shrivastava, AC to GP-15

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-01-2019 Heard learned counsel for the parties.

This application has been filed seeking quashing of Letter No. 2100 dated 08.11.2018, issued by *Anchal Adhikari*, Jagdishpur, whereby on an application of the private respondent entertained in *Janta Darbar*, the said Circle Officer has allowed private respondent to fence the plot in dispute, which, according to the petitioner, is in his possession.

It is also the petitioner's case that he had earlier approached the Deputy Collector, Land Reforms, Sadar Bhagalpur, in respect of plot in question. The Deputy Collector, Land Reforms dismissed his application on the ground that the



dispute involved complex question of title.

The said order of the Deputy Collector, Land Reforms, was passed on 20.10.2016. The petitioner, apparently, did not approach the competent court of civil jurisdiction for getting the dispute adjudicated upon. In the meanwhile, the Circle Officer, on a complaint received, has passed the order, which is impugned.

In my view, this application lacks *bona fide*. Despite the observation made by the Deputy Collector, Land Reforms, the petitioner did not prefer any suit, raising the dispute, which he had earlier raised before the Deputy Collector, Land Reforms. Further, if he had any grievance against the decision of the Circle Officer, he had a remedy under the Bihar Right to Public Service Act, 2011, which, too, he did not avail.

This application, in my view, is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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